IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

(W. P. No. 3054 of 2003)

PETITIONER Mangan Singh Patel S/o Shri Sonsai PatelAged about 35 years, Sarpanch of Gram Panchyat Asneend, VikashKhand-Kasdol Dist. Raipur (C.G.)

P. R. No. 2966/03 R.S. Patel
Presented by Shri
dated 26.09.03

VERSUS

RESPONDENTS

1. The State of C.G. through Secretary Panchyat department D.K.S.Bhawan Raipur (C.G.)
2. The Director of Panchyat department D.K.S.Bhawan Raipur (C.G.)
3. Ghagr Singh S/o Shri Peelu Ram Upsarpanch of Grampanchyat Asneend, VikashKhand-Kasdol Dist. Raipur (C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE COUNSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN NATURE OF CEERTIORARI, MANDAMUS, PROHIBITION AND OTHER SUITABLE WRIT OR WRITS, DIRECTION OR DIRECTIONS, ORDER OR ORDERES:

(20)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.3054/ सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

01.10.2003

Shri R.S. Patel, counsel for the petitioner.

Shri Praveen Das, Panel Lawyer for respondents 1 & 2.

Heard both the counsel.

By this writ petition under Article 226/227 of the Constitution of India, the petitioner has challenged the order dated 24.09.2003 passed by respondent No.2, the Director of Panchayat Department, D.K.S. Bhawan, Raipur, in Revision No.140/B-121/2002-2003.

The petitioner's case is that he is the elected Sarpanch of Gram Panchayat Asneend and no confidence resolution was moved against the petitioner without following the provisions of the Panchayat Adhiniyam and the Rules. The no confidence motion was taken up after lapse of 15 days, but the S.D.O. considered the resolution and against that order the petitioner filed an appeal before the Collector, Raipur and the Collector granted stay in favour of the petitioner. Against that order respondent No.3 Ghagr Singh filed a revision before the Director of Panchayat Department. The Director without giving opportunity to the petitioner stayed the order passed by the Collector without hearing the petitioner.

Having heard the learned counsel for the parties and having regard to the facts and circumstances of the case, respondent No.2 is directed to dispose of the revision within a period of one month from

(21)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

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	today after hearing both the parties. Till then, the order passed by the Director (respondent No.2) shall remain stayed. The writ petition stands disposed of. Consequently, M.(W.)P.No.2796/2003 & I.A.No.9055/2003 also stand disposed of. Parties are entitled for certified copy of this order. Sd/- L.C.BHADOO Judge	

Soma